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SC PUBLIC SERVICE
COMMISSION

June 26, 2007

VIA EFILING AND HAND DELIVERY

Mr. Charles L.A. Terreni
Chief Clerk/Administrator
South Carolina Public Service Commission
101 Executive Center Dr., Suite 100
Columbia, SC 29210

Re: Petition of the Office of Regulatory Staff For Commission to Order a Rule To Show Cause As To Why The Certificates Of Public Convenience and Necessity for Certain Providers of Telecommunications Services Should Not Be Revoked
PSC Docket No.: 2007- 246 -C

Dear Mr. Terreni:

Enclosed for filing please find the original and one (1) copy of the Petition of the Office of Regulatory Staff For A Rule To Show Cause As To Why Certificates Of Public Convenience and Necessity Should Not Be Revoked. Please date stamp the one extra copy for our office and return it in the enclosed self-addressed envelope provided.

Note that the attached documents are exact duplicates, with the exception of the form of the signature, of the e-filed copy submitted to the Commission in accordance with its electronic filing instructions.

By copy of this letter, I am serving the necessary parties. Thank you for your assistance and let me know if you have any questions.

Sincerely,

Shealy Boland Reibold
Shealy Boland Reibold

SBR/pjm
Enclosure

cc: Parties of Record

This Document Is An Exact Duplicate, With The Exception Of The Form Of The Signature, Of The E-Filed Copy Submitted To The Commission In Accordance With Its Electronic Filing Instructions

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2007-____-C

June 26, 2007

IN RE: Petition of the Office of Regulatory)	
Staff for Commission to Order a)	PETITION OF THE OFFICE OF
Rule to Show Cause as to Why)	REGULATORY STAFF FOR A RULE TO
The Certificates of)	SHOW CAUSE AS TO WHY
Public Convenience and)	CERTIFICATES OF PUBLIC
Necessity for Certain Providers of)	CONVENIENCE AND NECESSITY
Telecommunications Services)	SHOULD NOT BE REVOKED
Should Not be Revoked)	

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SC PUBLIC SERVICE
COMMISSION

The Office of Regulatory Staff, by filing this petition, would respectfully show and request of the Commission that:

1. The Public Service Commission of South Carolina ("the Commission") is a state agency constituted pursuant to the laws of the State of South Carolina with its business offices located in Columbia, South Carolina. Further, the Commission is responsible for the regulation of telephone utilities operating for compensation as set forth in S.C. Code Ann. §58-9-10 et seq. (Supp. 2006).

2. The Office of Regulatory Staff ("ORS") is charged with the duty to protect the public interest pursuant to S.C. Code Ann. §58-4-10, et seq. (Supp. 2006).

3. The Telecommunications Companies listed in Exhibit A are certificated "telephone utilities" as defined in S.C. Code Ann. §58-9-10(6) (1976) in that they are persons or corporations, their lessees, assignees, trustees, receivers or other successors in interest owning or

operating in this State equipment or facilities for the transmission of intelligence by telephone for hire, including all things incident thereto and related to the operation of telephones.

4. The Telecommunications Companies listed in Exhibit A are subject to the jurisdiction of this Commission pursuant to S.C. Code Ann. §58-9-710 et seq. (1976 & Supp. 2006). Further, these Telecommunications Companies have submitted themselves to the jurisdiction of the Commission by their holding a Certificate of Public Convenience and Necessity as indicated in Exhibit A.

5. The Telecommunications Companies listed in Exhibit A, upon receiving their Certificates of Public Convenience and Necessity, were found to possess the technical, financial, and managerial resources sufficient to provide the services requested. S.C. Code Ann. §58-9-280(B)(1) (Supp. 2006).

6. ORS has the responsibility to ensure that telephone utilities are filing annual reports and certain special reports. "Subject to the approval of the Commission, the Office of Regulatory Staff may require any telephone utility to file annual reports in such form and of such content as the Office of Regulatory Staff may require and special reports concerning any matter about which the Office of Regulatory Staff is authorized to inquire or to keep itself informed or which it is required to enforce." S.C. Code Ann. § 58-9-370(A) (Supp. 2006). As well, Commission regulations provide:

[t]he telephone utility shall file the following documents and information:

1. Annual Report. Each telephone utility operating in the State shall file an annual report with the commission and provide a copy to the ORS, giving such information as the commission may direct."

26 S.C. Code Regs 103-612.1.

7. The Telecommunications Companies listed in Exhibit A have failed to file annual reports for the year ending 2006.

8. Pursuant to 26 S.C. Code Regs 103-830.B.1, “if a person other than the petitioner is named in a petition for a declaratory order or in a petition for a rule to show cause, the Chief Clerk shall cause a copy of the petition to be mailed to such named person within 14 days of the filing of the petition.” In order to assist the Commission in serving this Petition on the Respondents, the Office of Regulatory Staff has provided information in Exhibit A as to the status of each Telecommunications Company and whether the entity is a foreign or domestic business entity. S.C. Code Ann. §§ 15-9-210, 240, 245 (1976), set forth the procedures for serving foreign and domestic business entities.

9. The information for the business entities listed in Exhibit A accurately reflects the information on file with the South Carolina Secretary of State. See Exhibit B, Affidavit of Jeanne Gordon.

10. “Each telephone utility shall obey and comply with each and every requirement of every order, decision, direction, rule or regulation made or prescribed by the Commission and every direction, rule or regulation made or prescribed by the Office of Regulatory Staff in the performance ... or in relation to any other matter in any way relating to or affecting the business of such telephone utility and shall do everything necessary or proper in order to secure compliance with and observance of every such order, decision, direction, rule or regulation by all of its officers, agents and employees.” S.C. Code Ann. § 58-9-390 (Supp. 2006).

11. Pursuant to S.C. Code Ann. §58-9-1120 (Supp. 2006), “the Commission may ... conduct such other hearings as may be required in the administration of the powers and duties

conferred by Articles 1 through 13 of this chapter and by other laws relating to telephone utilities.”

WHEREFORE, the ORS staff prays that the Honorable Commission:

1. Enter an order establishing a Rule to Show Cause instituting a formal proceeding against the persons and business entities listed in Exhibit A.
2. For the persons and business entities listed in Exhibit A, pursuant to 26 S.C. Code Regs. 103-830.B.1, cause a copy of this petition to be served upon such named respondents or other proper person or entity within 14 days of the filing of the petition.
3. Require the parties to submit an Answer to this Petition within the deadlines prescribed by the Commission’s rules and regulations.
4. Schedule and conduct a formal administrative hearing to address disputed issues of fact and law regarding the Certificate pursuant to S.C. Code Ann. §58-9-820 (Supp. 2006).
5. Pursuant to 26 S.C. Code Regs 103-846.C, take judicial notice of the Commission’s records in that the required annual reports have not been filed for the companies listed in Exhibit A.
6. Find that the Telecommunication Companies listed in Exhibit A have not complied with orders, decisions, directions, rules and regulations made or prescribed by the Commission.
7. Enter a final order canceling the Certificates of Public Convenience and Necessity held by the carriers listed in Exhibit A.
8. For other appropriate action which the Commission may deem necessary.

Shealy Boland Reibold
Nanette S. Edwards, Esquire
Shealy Boland Reibold, Esquire
Office of Regulatory Staff
1441 Main Street, Suite 300
Columbia, South Carolina 29211
Phone: 803-737-0877
Fax: 803-737-0895

June 26, 2007
Columbia, South Carolina

2007 - C Out of Compliance

	Organization Name	Registered Agent	Secretary of State Status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued
1	Accxx Communications, LLC James Anderson 4035 Tampa Road Oldsmar FL 34677	TCS Corporate Services 2 Office Park Ct. - Suite 103 Columbia SC 29223	186925 Good Standing	Foreign	2002-190-C	2003-167	03/24/03
2	American Phone Services Corp Riccardo Ferranti - President 308 Maxwell Rd., Suite 100 Alpharetta GA 30004	National Registered Agents Inc. 2 Office Park Ct. - Suite 103 Columbia SC 29223	186906 Good Standing	Foreign	2000-148-C	2000-776	09/15/00
3	Buehner-Fry, Inc. dba Resort Operator Jill K. Anderson 40 NW Greenwood Ave Bend OR 97701	Prentice Hall Corp. 5000 Thurmond Mall Blvd. Columbia SC 29201	186907 Reinstatement	Foreign	1994-737-C	1995-1049	05/10/95
4	DialTone & More, Inc. Heather Russell - Regulatory Consultant 5909 NW Expressway, Suite 403 Oklahoma City OK 73132	C T Corp. System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	186908 186909 Good Standing	Foreign	1998-50-C 2005-123-C	1998-394 2005-455	5/29/98 8/25/05
5	Group Long Distance Tina Terce - Regulatory Contact PO Box 534 Ringoes NJ 08551	B. Allston Moore, Jr. 5 Exchange St. Charleston SC 29401	186910 Good Standing	Foreign	1993-478-C	1994-22	01/06/94
6	Lightyear Network Solutions, LLC Theresa Herring 1901 Eastpoint Pkwy. Louisville KY 40223	C T Corp. System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	186911 Good Standing	Foreign	2003-369-C	2004-550	11/08/04
7	Promise Vision Technology, Inc. Carl Thompson - President 1050 East 2nd #212 Edmond OK 73034	Business Filings International Inc. 75 Beattie Place Greenville SC 29601	186914 Good Standing	Foreign	2000-92-C	2000-793	09/27/00
8	R2C Communications, Inc. Dennis Bay - President 9532 Mission Road #25 Overland Park KS 66206	TCS Corporate Services 2 Office Park Ct. - Suite 103 Columbia SC 29223	186919 Good Standing	Foreign	2003-260-C	2004-428	09/10/04
9	Simple DSL, Inc. James A. Kennemore, Jr. - Mgr. PO Box 8088 Greenwood SC 29648	James A. Kenmore 333 Main St. Greenwood SC 29649	186922 Good Standing	Domestic	2002-386-C	2003-138	03/17/03

EXHIBIT A

2007- C Out of Compliance

	Organization Name	Registered Agent	Secretary of State Status	Foreign or Domestic	Docket #	Order #	Date Certificate Issued
10	Symtelco, LLC Amy L. Thrasher c/o Technologies Mgmt., Inc. PO Drawer 200 Winter Park FL 32790-0200	C T Corp. System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	186927 Good Standing	Foreign	2004-334-C	2005-124	03/16/05
11	Tel West Communications, LLC Donald O. Taylor P.O. Box 94447 Seattle WA 98124	C T Corp. System 75 Beattie Place Two Insignia Financial Plaza Greenville SC 29601	186927 186928 Good Standing	Foreign	1997-230-C 2004-133-C	1997-814 2004-449	9/18/97 9/27/04
12	Telmex USA, LLC Bobbi Ferguson - Consultant Visiology, Inc. 16061 Carmel Bay Drive Northport AL 35475	Corporation Service Co. 5000 Thurmond Mall Blvd. Columbia SC 29201	186929 Good Standing	Foreign	2005-365-C	2006-435	07/26/06

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. _____


June 18, 2007

IN RE: Petition of the Office of Regulatory)	
Staff for Commission to Order a)	
Rule to Show Cause as to Why)	
The Certificates of)	AFFIDAVIT OF JEANNE GORDON
Public Convenience and)	
Necessity for Certain Providers of)	
Telecommunications Services)	
Should Not be Revoked)	

The Affiant, after having been first duly sworn, deposes and states as follows:

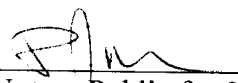
- 1) My name is Jeanne Gordon and I am employed by the Office of Regulatory Staff ("ORS") as Database Manager.
- 2) My office is located at 1441 Main Street, Columbia, South Carolina, 29201
- 3) I and/or personnel under my direction researched the South Carolina Secretary of State's website in order to determine the corporate status of the business entities listed in Exhibit A of this petition.
- 4) I attest that, to the best of my knowledge, the corporate statuses of the business entities listed in Exhibit A are accurate.

AND FURTHER THE AFFIANT SAYETH NOT.



Jeanne Gordon
Database Manager
Office of Regulatory Staff
P.O. Box 11263
Columbia, South Carolina 29211

Sworn and subscribed before me
this 18th day of June, 20 07



Notary Public for South Carolina
My Commission Expires: May 3, 2017

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

DOCKET NO. 2007- _____ - C

IN RE: Petition of the Office of Regulatory)
Staff for Commission to Order a)
Rule to Show Cause as to Why)
The Certificates of)
Public Convenience and)
Necessity for Certain Providers of)
Telecommunications Services)
Should Not be Revoked)

CERTIFICATE OF SERVICE

This is to certify that I, Pamela J. McMullan, an employee with the Office of Regulatory Staff, have this date served one (1) copy of the **PETITION OF THE OFFICE OF REGULATORY STAFF FOR A RULE TO SHOW CAUSE AS TO WHY CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY SHOULD NOT BE REVOKED** in the above-referenced matter to the person(s) named below by causing said copy to be deposited in the United States Postal Service, first class postage prepaid and affixed thereto, and addressed as shown in the attached list:



Pamela J. McMullan

June 26, 2007
Columbia, South Carolina

TCS Corporate Services
2 Office Park Ct. - Suite 103
Columbia SC 29223
In Re: Accxx Communications, LLC

National Registered Agents Inc.
2 Office Park Ct. - Suite 103
Columbia SC 29223
In Re: American Phone Services Corp

Prentice Hall Corp.
5000 Thurmond Mall Blvd.
Columbia SC 29201
In Re: Buehner-Fry, Inc. dba Resort Operator

C T Corp. System
75 Beattie Place
Two Insignia Financial Plaza
Greenville SC 29601
In Re: DialTone & More, Inc.

B. Allston Moore, Jr.
5 Exchange St.
Charleston SC 29401
In Re: Group Long Distance

C T Corp. System
75 Beattie Place
Two Insignia Financial Plaza
Greenville SC 29601
In Re: Lightyear Network Solutions, LLC

Business Filings International Inc.
75 Beattie Place
Greenville SC 29601
In Re: Promise Vision Technology, Inc.

TCS Corporate Services
2 Office Park Ct. - Suite 103
Columbia SC 29223
In Re: R2C Communications, Inc.

James A. Kenmore
333 Main St.
Greenwood SC 29649
In Re: Simple DSL, Inc.

C T Corp. System
75 Beattie Place
Two Insignia Financial Plaza
Greenville SC 29601
In Re: Symtelco, LLC

C T Corp. System
75 Beattie Place
Two Insignia Financial Plaza
Greenville SC 29601
In Re: Tel West Communications, LLC

Corporation Service Co.
5000 Thurmond Mall Blvd.
Columbia SC 29201
In Re: Telmex USA, LLC